

It is respectfully urged that the present title, CERTAIN QUINOLINE DERIVATIVES, is clearly indicative of the invention to which the claims herein are directed. In this connection, it is seen that claim 1 specifies that, in formula (I), the variables A, B, C, D, and T each represents methine or nitrogen, but that one and only one of them represents nitrogen. This results in a situation in which the fused ring portion of formula (I) comprises two fused six-membered rings in which 9 of the 10 atoms constituting the rings are carbon and one is nitrogen (and the nitrogen is not a bridgehead nitrogen). In other words, all of the compounds embraced by claim 1 may be regarded as quinoline derivatives.

Claims 1-19 were rejected as being anticipated by US "5,945,252". It is presumed that the Examiner intended US 5,883,252. (It is noted that Tung 5,945,413 is a continuation-in-part of Tung '252.) The Examiner alleges that "Tung et al US '252 teach quinoline derivatives as recited in the claims", and cites columns 2 and 3, column 9, and Table 1. Columns 2, 3, and 9 of Tung et al US '252 do not disclose any individual compound falling within the scope of the present compound claims. Table I does disclose several specific quinoline derivatives, namely compounds numbers 2, 5, 8, 49, 50, 52, and 54. However, in each of these compounds, the quinoline nitrogen atom to which the side chain is

attached is *not* adjacent to the other ring, while in all of the present compounds, the quinoline nitrogen atom to which the side chain is attached is adjacent to the other ring. Moreover, in each of the compounds of the reference, the side chain linking the quinoline ring to the other heterocyclic ring always contains a hydroxy substituent, while in the present compounds, the side chain is recited as  $(CH_2)_m$  and does not contain a hydroxy substituent. Also, in the compounds specifically disclosed by the reference, the other heterocyclic ring always contains an carbonyl or sulfonyl member. None of the present claims is anticipated by Tung '252.

Claims 7, 8, and 13 were rejected under the first paragraph of 35 USC 112 as lacking enablement. This rejection is respectfully traversed.

The Examiner argues that the present "specification does not give any guidance as to the full range of diabetic complicating diseases". The Examiner's reference in this rejection to "diabetic complicating diseases" is not understood, inasmuch as claims 7 and 13 related to serotonin antagonism and claim 8 relates to paralysis.

The Examiner alleges that Applicants are claiming a method of preventing or treating diseases to which serotonin antagonism is efficacious. Claim 8 relates to spastic paralysis. Thus its inclusion in this rejection was apparently inadvertent.

Claims 7 and 13 – which do relate to the treatment of diseases against which serotonin antagonism is efficacious – are fully enabled by the present disclosure, however, which meets all of the requirements set forth in the *Wands* decision that was cited by the Examiner. Extensive detailed disclosure of how to administer the compounds of the invention to patients is presented on pages 57-60 of the specification. Disclosure on pages 60-61 positions the present compounds with respect to published literature establishing the background state of the art relating to serotonin antagonism. Binding tests as used on the compounds of the invention are described on pages 63-77 of the specification, with Tables 1-6 herein (pages 61-76) showing the abilities of typical examples of the compounds of the invention to bind to serotonin 1A and serotonin 2 receptors. Actual *in vivo* testing of compounds of the invention is reported on pages 77-79 of the specification.

The disclosure herein clearly meets the requirements of the first paragraph of 35 USC 112, not only with respect to claims 1-6, 9-12, and 14-19 – which were not rejected thereunder – but also as to claims 7, 8, and 13. Withdrawal of this ground of rejection is respectfully solicited.

If the Examiner has any questions concerning this application, he is invited

to contact Mr. Richard Gallagher, Reg. No., 28,781 at (703) 205-8008.

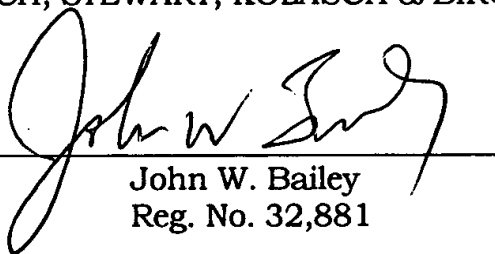
Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of one (1) month to June 7, 2002, in which to file a reply to the Office Action. The required fee of \$110.00 is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees, particularly extension of time fees, required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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